



Thomas J. Engellenner  
Direct Line: 617-439-2948  
Fax: 617-310-9948  
E-mail: tengellenner@nutter.com

June 1, 2007

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE: U.S. Patent Application Serial No. 10/758,687, Filed January 15, 2004  
"Method and Apparatus for Managing Temperature in a Patient"  
by Charles D. Lennox  
Examiner: Roy Dean Gibson, Group Art Unit: 3739  
**Confirmation No. 4945**  
Attorney Docket No. 104891-23 (formerly 104891-1 (MED03-12))

Dear Sir or Madam:

I enclose herewith for filing in the above-identified application the following:

1. Issue Fee Transmittal Form (PTOL-85) (with attached Certificate of Mailing);
2. Check in the amount of \$1,000.00 (small entity Issue Fee payment, together with Publication Fee);
3. Assertion of Small Entity Status; and
4. Acknowledgment postcard.

Please charge any additional fees or credit any overpayment to our Deposit Account No. 141449. The undersigned requests any extensions of time necessary to respond. A duplicate copy of this letter is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date set forth below.

June 1, 2007

Date

By

Thomas J. Engellenner, Reg. No. 28,711

Respectfully submitted,

NUTTER MCCLENNEN & FISH LLP

Thomas J. Engellenner  
Reg. No. 28,711

TJE:mrr/Enclosures



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 1, 2007

Signature:

(Thomas J. Engellenner)

Docket No.: 104891-23

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Charles D. Lennox

Application No.: 10/758,687

Confirmation No. 4945

Filed: January 15, 2004

Art Unit: 3739

For: METHOD AND APPARATUS FOR  
MANAGING TEMPERATURE IN A PATIENT

Examiner: Roy Dean Gibson

**ASSERTION OF SMALL ENTITY STATUS**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Exclusive rights in the U.S. patent application, serial number 10/758,687, have been assigned to and remain with MedCool, Inc., a small business concern. Small entity status is therefore asserted for the patent application.

Dated: June 1, 2007

Respectfully submitted,

By

Thomas J. Engellenner

Registration No.: 28,711

NUTTER MCCLENNEN & FISH LLP

World Trade Center West

155 Seaport Boulevard

Boston, Massachusetts 02210-2604

(617) 439-2000

(617) 310-9000 (Fax)

Attorney for Applicant